

# HHS.gov

## Health Information Privacy

U.S. Department of Health & Human Services

### Covered Entities and Business Associates

The HIPAA Rules apply to **covered entities and business associates**.

Individuals, organizations, and agencies that meet the definition of a **covered entity** under HIPAA must comply with the Rules' requirements to protect the privacy and security of health information and must provide individuals with certain rights with respect to their health information. If a covered entity engages a **business associate** to help it carry out its health care activities and functions, the covered entity must have a written business associate contract or other arrangement with the business associate that establishes specifically what the business associate has been engaged to do and requires the business associate to comply with the Rules' requirements to protect the privacy and security of protected health information. In addition to these contractual obligations, business associates are directly liable for compliance with certain provisions of the HIPAA Rules.

If an entity does not meet the definition of a covered entity or business associate, it does not have to comply with the HIPAA Rules. See definitions of "business associate" and "covered entity" at 45 CFR 160.103.

View an easy-to-use question and answer decision tool to find out if an organization or individual is a covered entity.

#### Fast Facts for Covered Entities

A Covered Entity is one of the following:

A Health Care Provider	A Health Plan	A Health Care Clearinghouse
This includes providers such as: <ul style="list-style-type: none"><li>• Doctors</li><li>• Clinics</li><li>• Psychologists</li><li>• Dentists</li></ul>	This includes: <ul style="list-style-type: none"><li>• Health insurance companies</li><li>• HMOs</li><li>• Company health plans</li><li>• Government programs that</li></ul>	This includes entities that process nonstandard health information they receive from another entity into a standard (i.e., standard electronic format or data content), or vice versa.

<ul style="list-style-type: none"><li>• Chiropractors</li><li>• Nursing Homes</li><li>• Pharmacies</li></ul> <p>...but only if they transmit any information in an electronic form in connection with a transaction for which HHS has adopted a standard.</p>	pay for health care, such as Medicare, Medicaid, and the military and veterans health care programs	
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**Learn more about business associates**

**Learn more about business associate contracts**

Content created by Office for Civil Rights (OCR)

Content last reviewed on June 16, 2017



Centers for Medicare & Medicaid Services

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## Are You a Covered Entity?

**NEW!** Not sure if you're a covered entity? Use our new [Covered Entity Guidance tool](#) to find out.

[HIPAA, or the Health Insurance Portability and Accountability Act of 1996](#), covers both individuals and organizations. Those who must comply with HIPAA are often called HIPAA-covered entities.

HIPAA-covered entities include health plans, clearinghouses, and certain health care providers as follows:

### Health Plans

For [HIPAA purposes](#), health plans include:

- Health insurance companies
- HMOs, or health maintenance organizations
- Employer-sponsored health plans
- Government programs that pay for health care, like Medicare, Medicaid, and military and veterans' health programs

### Clearinghouses

Clearinghouses include organizations that process nonstandard health information to conform to [standards](#) for data content or format, or vice versa, on behalf of other organizations.

### Providers

Providers who submit [HIPAA transactions](#), like claims, electronically are covered. These providers include, but are not limited to:

- Doctors
- Clinics
- Psychologists
- Dentists
- Chiropractors
- Nursing homes
- Pharmacies

### About Business Associates

If a covered entity engages a [business associate](#) to help carry out its health care activities and functions, the covered entity must have a written business associate contract or other arrangement with the business associate that:

- Establishes specifically what the business associate has been engaged to do
- Requires the business associate to comply with HIPAA

Examples of business associates include:

- Third-party administrator that assists a health plan with claims processing
- Consultant that performs utilization reviews for a hospital
- Health care clearinghouse that translates a claim from a nonstandard format into a

standard transaction on behalf of a health care provider, and forwards the processed transaction to a payer

- Independent medical transcriptionist that provides transcription services to a physician

Also, a covered health care provider, health plan, or health care clearinghouse can be a business associate of another covered entity.

Page last Modified: 06/21/2016 6:31 PM

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A federal government website managed and paid for by the U.S. Centers for Medicare & Medicaid Services. 7500 Security Boulevard, Baltimore, MD 21244

